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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,022	06/14/2002	Charles Lerman	P 0290430	1233
909	7590	03/03/2005	EXAMINER	
PILLSBURY WINTHROP, LLP			NGUYEN, CINDY	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2161	
DATE MAILED: 03/03/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/048,022	Applicant(s) LERMAN, CHARLES	
	Examiner Cindy Nguyen	Art Unit 2161	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 49-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 49-75 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/03/03</u> | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is in response to preliminary amendment filed on 10/03/03 in which claims 49-75 are presented for examination.

#### ***Priority(IDS)***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Information Disclosure Statement***

The information disclosure statement filed on 10/03/03 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Because it has been placed in the application file, and the information referred to therein has been considered as to the merits.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 49-51, 57-60, 66-69 and 75 are rejected under 35 U.S.C. 102(e) as being anticipated by Luke et al. (US 6081253).

Regarding claims 49, 58 and 67, Luke discloses: A method, a system and a computer-readable memory medium with program data representing a computer program that can cause a computer to implement a method of operating on data, comprising:

providing at least one user-defined grouping rule for grouping numerical data into a user-definable number of groups (col. 8, lines 21-64, Luke); and

applying at least one of the grouping rules to the numerical data (col. 8, lines 65 to col. 9, lines 12, Luke);

wherein the at least one grouping rule defines at least one breakpoint<sup>1</sup> corresponding to the user-definable number of groups (col. 8, lines 24-37, Luke), the at least one breakpoint defining numeric ranges of said numerical data (col. 8, lines 24-37, Luke), and wherein application of the at least one rule to the numerical data divides the data into groups based on the at least one breakpoint to reduce the resolution of the numerical data wherein the grouping of the data is visualized by associating colors to the data groups (col. 9, lines 1-12 and lines 27-39, Luke).

Regarding claims 50, 59 and 68, all the limitations of these claims have been noted in the rejection of claims 49, 58 and 67 above, respectively. In addition, Luke discloses: wherein the data are provided in a table and wherein the at least one grouping rule applies to at least on user selectable column of the table (col. 35, lines 1-21, Luke).

Regarding claims 51, 60 and 69, all the limitations of these claims have been noted in the rejection of claims 49, 58 and 67 above, respectively. In addition, Luke discloses:

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<sup>1</sup> Color 1 and color 2 are as breakpoints corresponding number of colors for each range defined by the breakpoint (see application page 12, lines 11-21).

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presenting the grouped data in a manner that visually distinguishes the groups (col. 9, lines 1-6, Luke).

Regarding claims 57, 66 and 75, all the limitations of these claims have been noted in the rejection of claims 49, 58 and 67 above, respectively. In addition, Luke discloses: wherein the number of groups is fewer than a number of possible data (col. 30, lines 65 to col. 31, lines 8, Luke).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 52-56, 61-65 and 70-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luke et al. (US 6081253) in view of Nomura et al. (US 5877772) (Nomura).

Regarding claims 52, 61 and 70, all the limitations of these claims have been noted in the rejection of claims 51, 60 and 69 above, respectively. However, Luke didn't disclose: wherein the grouping rules associate colors with groups and wherein the presenting of the grouped data further comprises coloring an aspect of the data according to the rules. On the other hand, Nomura discloses: wherein the grouping rules associate colors with groups and wherein the presenting of the grouped data further comprises coloring an aspect of the data according to the rules (col. 19, lines 59 to col. 20, lines 45, Nomura). Thus, at the time invention was made, it would have

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been obvious to a person of ordinary skill in the art to include the steps coloring an aspect of the data according to the rules in the system of Luke as taught by Nomura.

The motivation being to enable the system the color arrangement rules for coloring of regions of the text picture wherein the densities of colors assigned to regions of the text are determined in accordance with the areas of the regions.

Regarding claims 53, 62 and 71, all the limitations of these claims have been noted in the rejection of claims 51, 60 and 69 above, respectively. In addition, Luke/Nomura discloses: wherein the data are in labeled columns in a spreadsheet (col. 35, lines 1-27, Luke), and wherein the at least one grouping rule specifies at least one breakpoint and a corresponding color for each at least one breakpoint, and wherein the presenting of the grouped data comprises coloring each data item in the at least one labeled column of the data based on the at least one breakpoint and the corresponding color of the at least one breakpoint (col. 19, lines 59 to col. 20, lines 40, Nomura (col. 9, lines 1-6, Luke).

Regarding claims 54, 63 and 72, all the limitations of these claims have been noted in the rejection of claims 49, 58 and 67 above, respectively. In addition, Luke/Nomura discloses: further comprising providing a rule for grouping textual data, the rule defining at least one breakpoint based on textual values (col. 20, lines 45-63, Nomura).

Regarding claims 55, 64 and 73, all the limitations of these claims have been noted in the rejection of claims 49, 58 and 67 above, respectively. In addition, Luke/Nomura discloses: wherein the at least one breakpoint is determined automatically based on the data (col. 29, lines 4-18, Nomura).

Regarding claims 56, 65 and 74, all the limitations of these claims have been noted in the rejection of claims 49, 58 and 67 above, respectively. In addition, Luke/Nomura discloses: wherein the data are provided in a table, wherein the coloring of an aspect of the data comprises: coloring backgrounds of table cells according to the rules(col. 19, lines 59 to col. 20, lines 45, Nomura).

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Cindy Nguyen  
February 23, 2005

  
**FRANTZ COBY**  
**PRIMARY EXAMINER**